

## CHANGING OLD FORMS.

New York Judges Adopt New Phrases  
in Sentencing Criminals to  
Death.

One Mentions Electricity While  
Another Does Not Refer  
to the Mode.

Neither Prays For Mercy Upon the Soul  
of the Unfortunate Whose Body  
is to be Burned.

Now that burglar McElvaine has been sentenced to death, the judges of this state who are compelled to pass sentence under the law which sends murderers out of the world by electricity will have still another precedent to go by in the form that may be used, says the New York Sun. Since the new law went into effect the old familiar words that the doomed man be "hanged by the neck until he be dead," which have been used from time immemorial, of course disappear. Judge Childs in sentencing Memner in Buffalo last spring to the death penalty was very careful in the words he used, and he was careful to specify that the killing was to be by electricity. The statutes of New York state do not lay down any set form which shall be used in sentencing a criminal, but under the old law the courts had dropped into the habit of using a certain phraseology from which there was but little variance. This form is said at the district attorney's office and by prominent criminal lawyers to have been the most common:

"As you have been found guilty of murder in the first degree it becomes my duty to pass sentence of death upon you, and the sentence of the law and of this court is that you be returned to the prison whence you came, and that thence on Friday, the day of —, you be taken to the prison yard therein, and there be hanged by the neck until you are dead, and may God have mercy on your soul."

It would have been legally correct, said a lawyer yesterday, to simply direct that death be inflicted as prescribed by law, and this would be sufficient under the present law. The two judges, however, whose duty it already has been to sentence to electrical death have deemed it their duty to prepare beforehand a form of sentence. The Sun thought it would be interesting to lay before its readers the verbatim speeches of these two judges, that a comparison might be made between them and the old form which custom had established. Here is the exact wording of the original sentence passed on Kemmer by Judge Childs, of Buffalo, as taken from the minutes of the trial:

"The sentence of the court is that within the week commencing on Monday, the 24th of June, 1889, and within the walls of Auburn prison, or within the yard or enclosure adjoining thereto, the defendant suffer the punishment of death, to be inflicted by the application of electricity as provided by the code of criminal procedure of the state of New York; and that in the meantime the defendant be removed to and, until the infliction of such punishment be kept in solitary confinement in said Auburn state prison."

It will be noticed that Judge Childs specifically refers to electricity as the means of putting Kemmer out of existence. Judge Henry A. Moore, who presides at the court of sessions, Brooklyn, and sentenced McElvaine on Friday, spent a great deal of care in drawing up the form of sentence he used. With the assistance of the clerk of the court, R. J. York, Judge Moore consulted the law on the subject and weighed every word in the draft first made before deciding on a form. Court Stenographer Hempstreet furnished the Sun from his minutes the exact words which fell from the lips of Judge Moore. After speaking of the enormity of McElvaine's crime the judge said:

"The court will proceed to pass upon you the sentence of the law, and that sentence is that you suffer the punishment of death. And the sentence further is that you be taken from the court room to the jail and committed to the custody of the sheriff of Kings county, and that within ten days from to-day, the day of passing the sentence, you be removed by the said sheriff to the state prison at Sing Sing into the custody of the agent or warden of the state prison, and that you be confined in that state prison."

"And that during the week beginning Monday, December 9, next hereafter and ensuing, you be executed and put to death by the agent or warden of said Sing Sing prison in the mode and in the manner prescribed by the statute or laws of this state, and the warden of that prison is directed and commanded to do the execution according to this sentence and according to law."

Judge Moore does not refer to the method of killing which the state prescribes and leaves McElvaine to look up the law if he doesn't know it already. Neither in Kemmer's nor McElvaine's case was the Almighty invoked for mercy on the criminal's soul. Just how the sentence will be worded in the future if the law stands will depend upon the opinion of the judges who deliver them. Probably in time they will be crystallized into some generally accepted form which will become as familiar as the one which sentenced a man to the old method of legal killing.

Lawyer George M. Curtis has served a notice of appeal to the court of appeals in the case of McElvaine. The notice acts as a stay of the sentence, and will also probably postpone McElvaine's removal to Sing Sing.

A Good Cough Syrup.  
There is nothing parents should be so careful about as selecting a cough syrup. Beggs' Cherry Cough Syrup costs no more than the cheap and inferior nostrums thrown on the market. The best is none too good, be sure and get BEGG'S' CHERRY COUGH SYRUP. We keep it on hand at all times. R. S. Hale & Co., Druggists.

What on Earth  
Is the reason people will not, cannot, or do not see any difference in cheap nostrums put up by cheap John bottles or irresponsible parties at enormous profits, rather than take a medicine of world-wide reputation and one that is giving universal satisfaction at equal price? No medicine in the world is giving such unparalleled satisfaction for purifying the blood as Beggs' Blood Purifier and Blood Maker, and every bottle that does not do its work will cost you nothing. For sale by all druggists. R. S. Hale & Co., wholesale and retail agents.

What a Fortune.  
Is a good healthy, pearly skin. Few are aware of the short time it takes for a disordered liver to cause blotches on the face, and a dark greasy skin. One bottle of BEGG'S' BLOOD PURIFIER and BLOOD MAKER will restore this organ to its natural and healthy state, and cleanse the blood of all impurities. It is meeting with wonderful success. We guarantee every bottle. R. S. Hale & Co., Druggists.

Care for Piles.  
Itching piles are known by moisture like perspiration, producing a very disagreeable itching after getting warm. This form, as

well as blind, bleeding and protruding piles, yield at once to the application of Dr. Hosanko's Pile Remedy, which acts directly upon the parts affected, absorbing the tumors, allaying the intense itching and effecting a permanent cure. Fifty cents. Address The Dr. Hosanko Medicine Company, Piqua, Ohio. Sold by R. S. Hale & Co.

Home Testimony.  
HELENA, Oct. 7, 1887.

I was suffering from an unusually bad cough, my lungs were sore and congested, and I consulted one of the best physicians in Helena, whose prescriptions failed to relieve me. I became alarmed, and at the suggestion of a friend purchased a bottle of Aker's English Remedy for coughs, and after taking it according to directions was completely cured. I therefore cheerfully recommend it.

JACOB SWITZEL.  
I had a hacking cough and inflamed throat and bought a bottle of Aker's English Remedy upon the recommendation of a friend, and was entirely cured by it. I consider it a never failing remedy for a cough.

J. FELDBERG.  
Aker's English Remedy are for sale in Helena only by R. S. Hale & Co.

Hood's Sarsaparilla is purely a vegetable preparation, being free from injurious ingredients. It is peculiar in its curative power.

## CONDENSED RAILWAY TIME TABLE

Montana Central.  
DEPART.

St. Paul, Atlantic ex., St. Paul and east. 11:35 a. m.  
Montana, Pacific ex., Butte and south. 4:30 p. m.  
Helena and Butte ex., Butte and south. 8:15 a. m.  
Marysville ex. 7:30 p. m.  
Marysville ex. 7:30 a. m.

ARRIVE.

St. Paul, Atlantic ex., Butte and south. 11:25 a. m.  
Montana, Pacific ex., St. Paul and east. 4:30 p. m.  
Helena and Butte ex., Butte and south. 8:15 a. m.  
Marysville ex. 7:30 p. m.  
Marysville ex. 7:30 a. m.

Northern Pacific.

ARRIVE.

Through westbound. 2:50 p. m.  
Through eastbound. 7:30 p. m.  
Butte, Missoula and Helena ex. 12:30 p. m.  
Marysville passenger. 2:40 a. m.  
Rimmi accom. Mon. West and Fri. 3:00 p. m.  
Wicks and Boulder passenger. 10:05 a. m.  
Marysville accommodation. 2:30 p. m.

DEPART.

Through westbound. 2:50 p. m.  
Through eastbound. 7:30 p. m.  
Helena, Missoula and Butte ex. 7:45 a. m.  
Marysville passenger. 2:40 a. m.  
Rimmi accom. Mon. West and Fri. 3:00 p. m.  
Wicks and Boulder passenger. 10:05 a. m.  
Marysville accommodation. 2:30 p. m.

Union Pacific.

DEPART.

For all points east, south and west, via Montana Central and Butte. 4:00 p. m.  
Via Northern Pacific and Garrison. 11:15 p. m.

ARRIVE.

From all points east, south and west, via Butte and Montana Central. 11:25 a. m.  
Via Garrison and Northern Pacific. 12:30 p. m.

A Woman's Face Is Her Fortune.

DR. SIMMS' ARSENIC COMPLEXION WAFERS.

After a few days' use will permanently remove all blotches, moles, pimples, freckles, producing an Entrancingly Beautiful Complexion that shames the use of powders and creams. Guaranteed perfectly harmless. Sold by all leading druggists at 25¢ per box of 100 wafers.

Dr. Simms' Safe Periodical Wafers are safe and reliable for all female irregularities. Price \$2 per box. Sent by mail (secure) on receipt of price. Warranted to contain no "Tansy" or

The Celebrated French Cure,  
"APHRODITINE" or money  
refunded.

IS SOLD ON A POSITIVE GUARANTEE to cure any form of nervous disease, or any disorder of the generative organs of either sex without arising from the excessive use of stimulants, tobacco or opium, or through youthful indiscretion, over indulgence, etc., such as Loss of Brain Power, Wastefulness, Nervousness, Pains in the Back, Seminal Weakness, Hysteria, Nervous Prostration, Neuritis, Emissions, Leucorrhoea, Disinfection, Weak Memory, Loss of Power and Impotency, which it is guaranteed often used to premature old age and disease. Price \$1.00 a box, 5 boxes for \$5.00 Sent C. O. D. on receipt of price.

A WRITTEN GUARANTEE for every order, to refund the money if a permanent cure is not effected. Thousands of testimonials from old and young, of both sexes, permanently cured by APHRODITINE. Circular free. Address THE APHRODITINE MEDICINE CO.

WESTERN BRANCH. PORTLAND, OR.

Sold by R. S. Hale & Co., wholesale and retail druggists, and agents for Helena, Mont.

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## LOTTERY

—OF THE—  
Beneficencia Publica.

Established in 1887

—BY THE—  
MEXICAN NATIONAL GOVERNMENT.

Operated Under a Twenty-Years' Contract

—BY THE—  
Mexican International Improvement Co.

Grand Monthly Drawings held in the Mesquite Pavilion in the Alameda Park, City of Mexico, and publicly conducted by Government Officials appointed for the purpose by the Secretaries of the Interior and the Treasury.

The monthly Four Dollar Drawing will be held

—IN THE—  
City of Mexico, Nov. 10, 1889.

CAPITAL PRIZE, \$60,000!

80,000 Tickets at \$4, \$320,000.

2,376 Prizes, Amounting to \$178,560.

Price of Tickets, American Money.

Wholes, \$4; Halves, \$2; Quarters, \$1.

LIST OF PRIZES:

1 Capital Prize of \$60,000 is \$60,000

1 Capital Prize of 20,000 is 20,000

1 Capital Prize of 10,000 is 10,000

1 Grand Prize of 2,000 is 2,000

3 Prizes of 1,000 are 3,000

6 Prizes of 500 are 3,000

20 Prizes of 250 are 5,000

100 Prizes of 100 are 10,000

340 Prizes of 50 are 17,000

554 Prizes of 25 are 13,850

APPROXIMATION PRIZES.

150 Prizes of \$60, approximation to \$9,000

150 Prizes of \$50, approximation to 7,500

150 Prizes of \$40, approximation to 6,000

790 Prizes of \$25, decided by 15,000

226 All prizes sold in the United States full paid in United States Currency.

SPECIAL FEATURES:

By terms of contract the company must deposit the sum of all prizes included in the scheme before selling a single ticket, and receive the following official permit:

CERTIFICATE.—I hereby certify that the London Bank of Mexico and South America has on special deposit the necessary funds to guarantee the payment of all prizes drawn by the Loteria de la Beneficencia Publica.

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Further, the company is required to distribute fifty-six per cent of the value of all the tickets in prizes, a larger proportion than is given by any other lottery.

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List of prizes will be immediately after the drawing to all correspondents, or on application.

Prizes may be deposited for collection with any Bank or Express company, or sent through them or by mail (registered to this office).

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R. O. LENOIR, Proprietor.

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—Buys and Sells All Kinds of—

FURNITURE, MIRRORS, CROCKERY, STOVES,

Office Furniture, Bar Outfits, Saddles, Harness, Bicycles, and Everything the Heart Can Desire, at Half Price. Will also exchange goods for anything you have.

CORNER 6th AVE. and MAIN. HELENA, MONT.

Judson's Improved Powder,

NOBLE'S EXPLOSIVE DYNAMITE,

GIANT POWDER.

Recommended by Miners, Railroad Contractors, and Endorsed by the Public in General as the Strongest, Safest and Best of all High Explosives

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